

## Message Text

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PAGE 01 STATE 182332  
ORIGIN ITC-01

INFO OCT-01 EA-09 ISO-00 EB-08 L-03 FTC-01 COME-00  
TRSE-00 /023 R

DRAFTED BY USITC:JBOYD:MH  
APPROVED BY EB/OT/STA:TO'HERRON  
EA/J:RCOCHRAN

-----100443 050326Z /62

R 032041Z AUG 77  
FM SECSTATE WASHDC  
TO AMEMBASSY TOKYO

UNCLAS STATE 182332

E.O. 11652: N/A

TAGS: ETRD

SUBJECT: SECTION 337 INVESTIGATION OF NUMERICALLY-  
CONTROLLED MACHINERY CENTERS--VISIT OF USITC ATTORNEYS

REF: HART/WESTMORE TELCON AUGUST 2

1. U.S. INTERNATIONAL TRADE COMMISSION (USITC) IS  
CONDUCTING AN INVESTIGATION OF A COMPLAINT FILED UNDER  
SECTION 337 OF THE TARIFF ACT OF 1930, ALLEGING UNFAIR  
TRADE PRACTICES IN THE IMPORTATION AND SALE OF CERTAIN  
NUMERICALLY-CONTROLLED MACHINERY CENTERS AND COMPONENTS  
THEREOF. YAMAZAKI MACHINERY WORKS, LTD., 1-NORIFUNE,  
OGUCHI-CHO, NIWA-GUN, AICHI-KEN, AND ITS U.S. SUBSIDIARY  
HAVE BEEN NAMED AS RESPONDENTS. THE COMPLAINT WAS BROUGHT  
BY BURGMASER DIVISION OF HOUDAILLE INDUSTRIES, INC., LOS  
ANGELES, CALIFORNIA AND ALLEGES PATENT INFRINGEMENT,  
MISUSE OF TRADE SECRETS, AND MISUSE OF TRADE MARK.

2. THE THREE PARTIES TO THE INVESTIGATION (YAMAZAKI,  
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BURGMASER AND THE USITC) HAVE AGREED THAT THE INSPECTION  
OF YAMAZAKI DOCUMENTS AND TAKING OF DEPOSITIONS WILL  
COMMENCE ON MONDAY, AUGUST 8, IN NAGOYA AND CONTINUE UNTIL  
COMPLETED (PROBABLY ONE TO TWO WEEKS). EARL LEVY, DEPUTY

DIRECTOR, OFFICE OF LEGAL SERVICES, USITC, AND USITC  
INVESTIGATIVE ATTORNEY STEVEN MOSKOWITZ PLAN TO ARRIVE IN

TOKYO ON AUGUST 7 AND PROCEED DIRECTLY TO NAGOYA FOR THE PURPOSE OF CONDUCTING DISCOVERY PROCEEDINGS AND TAKING DEPOSITIONS.

3. EMBASSY IS REQUESTED TO NOTIFY APPROPRIATE JAPANESE OFFICIALS OF VISIT OF USITC ATTORNEYS. NO OTHER ASSISTANCE IS REQUIRED FROM THE EMBASSY. LEVY AND MOSKOWITZ DO NOT PLAN TO CONTACT EMBASSY WHILE IN JAPAN UNLESS EMBASSY INDICATES THEY SHOULD. FYI: LEVY HOPES TO OBTAIN A RESERVATION AT THE NAGOYA CASTLE HOTEL; MOSKOWITZ WILL BE STAYING WITH RELATIVES NAMED ELLIS (TELEPHONE 213-274-5469). END FYI.

4. YAMAZAKI ATTORNEYS ARE CONDUCTING DISCOVERY AND TAKING DEPOSITIONS AT BURGMASER LOS ANGELES PLANT AUGUST 3-5.

5. USITC EXPRESSES REGRET FOR SHORT NOTICE. CHRISTOPHER

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INVESTIGATIONS, TRADE COMPLAINTS  
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**Executive Order:** N/A  
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**Type:** TE  
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**Review Markings:**  
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